

Remarks

This Amendment is responsive to the Office Action mailed on February 8, 2005. Entry of this Amendment and reconsideration of the instant application in view of the above amendments and following remarks are respectfully requested.

Claims 1-10 are pending. Claims 1-8 are allowed. Claim 9 has been canceled.

Claim 10 has been amended to distinctly claim the invention. Support for these amendments is found in the Application on page 4, lines 14-18.

Statement of Substance of Interview

Applicants wish to thank the Examiner for her consideration and courtesy during the Examiner's interview of May 6, 2005. As summarized in the Interview Summary, the interview was held to discuss cancellation of claim 9 and the distinguishing features of claim 10. As a result of the discussion of claim 10, Applicants agreed to further study the teaching of Bardman et al. (U.S. Patent No. 6,756,051) and the results of that study are presented below.

Rejection under 35 U.S.C. § 102

Claim 9 is rejected under 35 U.S.C. § 102(b) as being anticipated by DelDonno (U.S. Patent No. 5,191,029). As this claim has been canceled and the rejection is now moot, Applicants request this rejection be withdrawn.

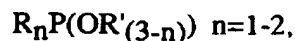
Rejection under 35 U.S.C. § 103

Claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Bardman et al. Applicants submit that Bardman et al. neither teach nor disclose the phosphorus acid full-ester group of claim 10.

In Bardman et al., the dihydrogen phosphate monomers and their salts have two bonds of the form:

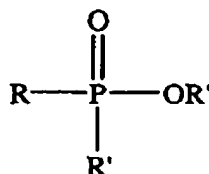
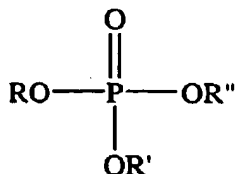
$P-O-X^+$ where $X^+ = H^+$ (an ionizable hydrogen atom) or cation; most importantly, X^+ is not C.

As disclosed in the specification on pages 9-10, the phosphorus-acid full ester groups essentially have the structure:

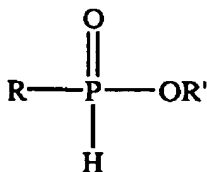


which is to say that all three bonds to the P atom are either P-C or P-O-C. The phosphorus-acid full-ester monomer does not contain a phosphorus acid group having an

ionizable hydrogen atom or a salt thereof, i.e., R, R', and R'' of the following structures are not H:



There may be an H atom bonded to the P atom as follows:



but this monomer differs from the dihydrogen phosphate monomers of Bardman et al. in that this H atom is not an ionizable hydrogen atom because it is not directly attached to a C atom through a O atom.

Thus, because Bardman et al. disclose polymer particles having phosphorus functional monomers with ionizable hydrogen atoms, but not phosphorus acid full-ester groups, Applicants respectfully request that this rejection be withdrawn.

Conclusion

In view of the above amendments and remarks, Applicants believe that the pending claims are in condition for allowance, and early and favorable action is earnestly solicited.

Applicants hereby authorize the Commissioner to charge any additional claim fees deemed required for entry of the this Amendment to Deposit Account No. 18-1850.

Respectfully submitted,

May 9, 2005
Date



KIM R. JESSUM
Attorney for Applicant
Registration No. 43,694
Telephone No. 215-592-3689

Rohm and Haas Company
Law Department - Patents
100 Independence Mall West
Philadelphia, PA 19106-2399